

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 3/5/2021
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DR. ANDREW KERR,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	17-cv-1777 (VEC)
	:	
PHYSICIAN AFFILIATE GROUP OF NEW	:	<u>ORDER</u>
YORK P.C., and DR. HUSSEIN MATARI,	:	
	:	
Defendants:	:	
-----X		

VALERIE CAPRONI, United States District Judge:


The Southern District of New York has reconfigured courtrooms and other spaces in its courthouses to allow civil jury trials to proceed as safely as possible during the COVID-19 pandemic. Under the centralized calendaring system currently in place, the Clerk's Office schedules up to three jury trials to begin on each day of jury selection: a primary case and up to two back-up cases that may proceed in its place if the primary case does not go forward. On February 1, 2021, the Court informed the parties that it would hold an in-person trial starting on June 28, 2021, subject to availability and the status of the COVID-19 pandemic. *See* Dkt. 198. The Court accordingly requested a jury trial for that date. The Clerk's Office has now notified the Court that this case has been placed on the jury trial list for **June 21, 2021**. The case must be trial-ready for that date. The case is second on the list for jury trials for that day. This means that the case will not proceed on June 21, 2021, if the other trial scheduled for that date goes forward. If the case cannot proceed on the scheduled date, the Court will seek another jury trial date for as soon as possible thereafter. As soon as the Court confirms that the matter will proceed on June 21, 2021, it will inform the parties.

The Court has considered Mr. Flannery's request that the trial date in this case be adjusted in light of a potential conflict with the trial before Judge Briccetti (16-CV-5900), but it cannot accommodate the request. *See* Dkt. 201. In light of the fact that both trials are more than three months away, the Court is confident that a law firm as large as Wilson Elser can accommodate staffing for both trials.

A final pretrial conference will be held **in person** on **June 17, 2021 at 2:00 p.m.** As previously directed, the joint pretrial order, requests to charge, and proposed *voir dire* questions are due by **March 31, 2021.**

**SO ORDERED.**

**Date: March 5, 2021**  
**New York, New York**

  
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**VALERIE CAPRONI**  
**United States District Judge**